IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY SIXTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE Mr. JUSTICE B.PRAKASH RAO

WRIT PETITION NO: 1527 of 2004

Between:

1. C. Krishna, s/o Seetharama Naidu, Student of Diploma in Medical Imageology, Sri Venkata Padmavathi Institute of Medical Sciences, Tirupathi, Chittoor District.

2. R. Rama Murthy, S/o Late R. Penchalaiah, Student of Diploma in Medical Imageology, Sri Venkata Padmavathi Institute of Medical Sciences, Tirupathi, Chittoor District.

.....PETITIONERS.

AND

1. Selection Committee for Selections to Diploma in Medical Imaging Course, rep. by its Chairman, Tirupathi, Chittoor District.

2. The Director of Medical Education, Govt. of A.P. Kothi, Hyderabad.

3. The District Medical & Health Officer, Tirupathi, Chittoor District.

4. Convener, Para Medical Examination Cell, Room No.4, G-Block, A.P. Secretariat, Hyderabad

5. Sri Venkata Padmavathi Institute of Medical Sciences, Tirupathi, Chittoor District, School of Nursing,
Rep. by its Principal.

.....RESPONDENTS.

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein, the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of a Writ of Mandamus by declaring the action of the 3rd Respondent in not approving the admissions of the Petitioners in Diploma of Medical Imaging Course in the 5th Respondent Institution for the academic year 2001-2002, as arbitrary, illegal, discriminatory, violative of Article 14 of Constitution of India, violative of principles of natural justice and legitimate expectation and consequentially direct the respondents to approve the admission of the Petitioners and to declare that the petitioners are entitled to continue and complete the course with all consequential benefits.

Counsel for the Petitioner: Mr. K.G.K.PRASAD .

Counsel for Respondents: GP FOR MEDICAL HEALTH & FAMILY WELFARE .

The Court made the following :

ORDER:

Heard both sides.

The petitioners herein are the students, who appeared for the diploma in Medical Imageology filed this writ petition inter alia seeking for declaration of their results.

The case of the petitioner is that the entire process of study and examinations were over and results of the same were not yet declared.

It is submitted by the learned Government Pleader appearing on behalf of the respondents 1 to 4 herein that as long as the approved list is not submitted by the fifth respondent, the question of declaring results does not arise. However, it is now submitted that the list has already been submitted by the fifth respondent.

The learned counsel for the petitioner also submitted that it is only due to the filing of earlier writ petition being W.P.No.2197 of 2001 by the fifth respondent herein, which was allowed on 25-4-2001. However, the respondents are not declaring the results.

Having considered the submissions made and also a perusal of the material on record, it is evident that once the approved list has been submitted by the fifth respondent the question of declaring the results does not arise and the same is wholly unsustainable. Having regard to the same the Writ Petition is allowed directing the second respondent herein to declare the results of the petitioners for which examination they have appeared. No costs.

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B. PRAKASH RAO, J.

26th July, 2004

Js.

That Rule Nisi has been made absolute as above.

Witness the Hon'ble Sri Devinder Gupta, the Chief Justice on this Monday, the twenty sixth day of July, Two Thousand and Four.

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. Selection Committee for Selections to Diploma in Medical Imaging Course, rep. by its Chairman, Tirupathi, Chittoor District.
2. The Director of Medical Education, Govt. of A.P. Kothi, Hyderabad.
3. The District Medical & Health Officer, Tirupathi, Chittoor District.
4. Convener, Para Medical Examination Cell, Room No.4, G-Block, A.P. Secretariat, Hyderabad
5. Sri Venkata Padmavathi Institute of Medical Sciences, Tirupathi, Chittoor District, School of Nursing,
   Rep. by its Principal.
6. 2 CCs to G.P. for Medical Health and Family Welfare, High Court Buildings, Hyderabad.(OUT)
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